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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,443	12/05/2003	Stephen Gordon	15816US02	1072

  

23446	7590	01/23/2008
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EXAMINER	
TAYONG, HELENE E	

  

ART UNIT	PAPER NUMBER
2611	

  

MAIL DATE	DELIVERY MODE
01/23/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/729,443

**Applicant(s)**

GORDON ET AL.

**Examiner**

Helene Tayong

**Art Unit**

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Request for Continued Examination**

1. The request filled on 11/13/07 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 10729443 is acceptable and RCE has been established. An action on the RCE follows.

### ***Response to Arguments***

2. Applicant's arguments with respect to Claims 1-4, 8-12, and 16-17 rejected under 35 U.S.C. § 102(e) as being anticipated by Linzer, claims 5 and 13 rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Linzer in view of Ju and claims 6, 7, 14, and 15 rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Linzer in view of Lavelle have been considered but are moot in view of the new ground(s) of rejection because of amendment.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Linzer et al (US 20040100577) in view of Witt (US 5826053).

(1) with regards to claim 18;

Linzer in (figure 5A) discloses a method for managing bursts of data, said

method comprising:

storing data in a machine readable memory device(SDRAM) starting at a first address ( page 1, [0007], lines 3-6), wherein the machine readable memory device has a plurality of burst boundaries ( page 3, [0033]), and

storing the same data in the machine readable memory device a second time at a second address (page 4, [0040], lines 1-6).

Linzer discloses all of the subject matter disclosed above, but for specifically teaching offsetting address by a number of bytes.

However, Witt in (fig. 1B) discloses a MODRM field that has a variety of formats. The MODRM field contains an optional displacement or offset field (for example, field 7) for address computation or how the addressing should be performed (col.4, lines 11-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have incorporated method of Witt in the method of Linzer et al in order to offset the first address from a particular one of the burst boundaries by a first number of bytes and offset the second address from another particular one of the burst boundaries by a second number of bytes, wherein the second number of bytes are different from the first number of bytes. The motivation to utilize the method of Witt in the method of Linzer would be for faster processor (col.6, lines 14-18).

***Allowable Subject Matter***

5. Claims 1-17 are allowed.

6. The following is an examiner's statement of reasons for allowance: The prior art Linzer et al (US 2004/0100577 A1) does not disclose the second alignment offset from the first alignment relative to the burst boundaries, the offset sufficient to enable selection for retrieval of the data from the first alignment or second alignment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hu et al (US 6205181) discloses interleaved strip data storage system for video processing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Tayong whose telephone number is 571-270-1675. The examiner can normally be reached on Monday-Friday 8:00 am to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Liu Shuwang can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helene Tayong

1/18/07



SHUWANG LIU  
SUPERVISORY PATENT EXAMINER